IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4848 OF 2007

The State of Maharashtra
and Ors. ..... Petitioners.

V/s

Shri Sudhakar Shankar Shinde. ..... Respondent.
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Mr. S. Chinchalikar, AGP for Petitioners.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.
DATE : 12th December, 2007.

P.C.:

Heard the learned Assistant Government Pleader for the Petitioners. Perused the impugned order. The pay fixation was done in 1986. They were again doing pay fixation after 20 years and, in that pay fixation, they found that certain amounts are to be recovered from the person who has already retired. According to the Tribunal, minimum that should have been done was to issue notice to him and give him an opportunity of being heard. That has not been done and, therefore, the Tribunal has set aside the order of recovery. We do not see any patent illegality in the impugned order. Petition is rejected.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)